

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6120

BILL NUMBER: HB 1239

NOTE PREPARED: Nov 5, 2008

BILL AMENDED:

SUBJECT: Joint Legal Custody.

FIRST AUTHOR: Rep. Summers

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL
DEDICATED
FEDERAL**

IMPACT: No Fiscal Impact

Summary of Legislation: This bill establishes a rebuttable presumption that an award of joint legal custody is in the best interest of a child. The bill provides exceptions for the rebuttable presumption. It requires a court, if a party seeks to rebut the presumption, to consider: (1) the fitness and suitability of each of the persons awarded joint legal custody; (2) the ability of the parents to communicate and advance the child's welfare; and (3) whether the child has established a close and beneficial relationship with both of the persons awarded joint legal custody. The bill also repeals a provision that states that joint legal custody does not require an equal division of physical custody of the child.

(The introduced version of this bill was prepared by the Child Custody and Support Advisory Committee.)

Effective Date: July 1, 2009.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

Fiscal Analyst: Bill Brumbach, 232-9559.